

**Federal Defenders
OF NEW YORK, INC.**

Southern District
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April 14, 2023

VIA ECF

Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: *United States v. Michael Barreto*, 19 Cr. 909 (KPF)

Dear Judge Failla:

We write with the consent of the Government to respectfully request another short adjournment of Michael Barreto's sentencing proceeding, presently scheduled for May 30, 2023. The parties are available any time on June 22, June 23, June 26, and June 27, and before 1:00 p.m. on June 28.

We are hopeful that an adjournment will allow for the presence of Mr. Barreto's full defense team, which will not be possible on May 30, 2023. Moreover, our team, including mitigation specialist LCSW Erik Mercer, requires additional time to prepare Mr. Barreto for sentencing in the aftermath of a sudden death in the family a few weeks ago, felt by Mr. Barreto as a devastating loss.

We thank the Court for its consideration of this request.

Respectfully submitted,

/s/

Ariel Werner
Neil P. Kelly
Assistant Federal Defenders

cc: counsel of record

Application GRANTED. The sentencing proceeding currently scheduled for May 30, 2023, is hereby ADJOURNED to **June 27, 2023, at 2:30 p.m.** The Court expresses its condolences to Mr. Barreto for his loss.

SO ORDERED.

Dated: April 14, 2023
New York, New York



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE